

JEROME-HAMMERSTEIN WAR.

BUILDING BUREAU BACKS JEROME-OSCAR APPEALS TO MAYOR.

Says He Will Invite the Aldermen to the Low Fields Theatre and Build a Fire on the Stage—Jerome May Subpena Hopper Before the Grand Jury.

District Attorney Jerome received from the Building Bureau yesterday its report on the report of Henry De B. Parsons to Mr. Jerome that Oscar Hammerstein's Low Fields Theatre in West Forty-second street violates the law in twenty-two specific instances.

Oscar says he will build a fire on the stage in the presence of the Board of Aldermen and show them that the theatre won't burn with his fire extinguishers at work. Meanwhile he has written to the Mayor asking him to order an investigation.

The report of the Building Bureau, which includes a report of Chief Engineer Miller, confirms Mr. Parsons's report in practically every particular. In addition, the inspectors of the Building Bureau state that since the plans for the theatre were finally approved the law has been violated in seven specific instances and Mr. Hammerstein was so notified.

Mr. Jerome took the Building Bureau report to his home at Lakeville, Conn., yesterday. On Monday he will write a letter to Supt. Hopper asking him why he allowed the theatre to open and certified its application for a license.

If Mr. Hopper does not explain satisfactorily it is Mr. Jerome's intention to subpoena him before the Grand Jury. Mr. Jerome doesn't intend to stop with the Fields Theatre. He has been appointed a committee of architects has been notified to cooperate with him.

These are some of the things the inspectors report as violations at the Fields Theatre:

Every exit in balcony and gallery partly obstructed by aisle steps; the steps not constructed as shown on approved plans. No such encroachments as exist have been approved.

The passages at rear balcony and gallery not of dimensions shown on approved plans, being 4 feet 2 inches at centre of the gallery instead of 4 feet 6 inches on approved plans, and 4 feet 7 inches in the centre of the balcony, instead of 7 feet 2 inches, as in the approved plan. Very recently balcony space further encroached upon by the installation of steam coils.

Basement dressing rooms not separated from stage by fire wall; exits either by stairs to the stage or a door through the proscenium wall, and thence by stairs to the east court, or out of the windows into a narrow area, two feet wide, to which access is had by an iron ladder to the emergency court of the American Theatre adjoining. In order to get into the court it is necessary to pass through a narrow passage.

Exit registers in the floor of the auditorium. These were overlooked at the time the theatre was opened because they were covered over with cloths and building paper spread over the floor.

Entrance to the theatre obstructed by various decorations. The building is not enclosed and particularly dangerous in case of a rush.

After Hammerstein received yesterday afternoon with the notice of the twenty-two violations. Greeting the notification papers in his right hand, he paced the floor of the Victoria theatre, where he had been sitting, he was unable to speak. When he had partly calmed himself, Mr. Hammerstein said:

"I am going to settle this whole question as soon as the Low Fields closes his season. I will pile two tons of inflammable scenery and other material on the stage and then set fire to it. Before doing this I will have invited the officials of the Building, Fire and Health departments, the Mayor and the Board of Aldermen to occupy seats. I will furnish them with rubber coats. When the fire has got a good start I will loose my fire extinguishers and put the fire out in the twinkling of an eye."

These are the things in fact rather than most and I will fight to the last ditch. They can't close the house and must bring suit against me. The Mayor is the one who has the power to revoke my license and close the house. If any one is in the hole, it is Chief Engineer Miller, who inspected the theatre, and not I.

Last night Oscar wrote to Mayor McClellan saying:

For some time past the District Attorney of the city of New York, has untruthfully, unscrupulously and in a brutally flippant manner, assailed the rights of the Fields Theatre, of which I am the owner.

As long as his almost insane harassment was unaccompanied by any substantial proof on the part of the proper authorities, I treated his attitude as being more of a personal matter than that of the law.

To-day in the press he repeats his allegations under cover of a long list of alleged violations furnished him by the Building Department. It is plain to me that such a list has only been obtained by him through deception and intimidation on the part of the Building Department, and that it is a list of prevarications and subterfuge, a cowardly attempt at the part of the Building Department to cover its own incompetence and incapacity.

I have erected the Fields Theatre without the violation of any law, and in full compliance with all laws, rules and regulations, and in full compliance with the Commissioner of Police, and, thereupon a license was issued to me.

Now ask for immunity from the law on the part of the Building Department, and the advertisement medium of a harlequin of a District Attorney, the scapegoat of a decomposed Building Department, and the newspaper men, who are investigating by you, but also for a public one, assisted by a committee of unofficial architects, citizens and newspaper men.

ORPHANS' DAY AT THE CIRCUS.

Mr. Bailey Will Give His Annual Treat to Fatherless Children on April 11.

Tuesday afternoon, April 11, has been set by James A. Bailey for his annual free treat at the circus to the orphans and inmates of the charitable institutions of this city. After that afternoon the entire Garden, including the boxes, will be placed at the disposal of the children, and no seats will be sold to the public. Mr. Bailey asks the sympathies of the orphans and inmates of the charitable institutions to send word to Madison Square Garden, as soon as possible, how many children they intend shall visit the circus, and the number of attendants accompanying them.

The seating capacity of the Garden is 1,000.

ARNOLD DAILY ILL.

Gone to the Country for a Rest—Special Matinees Cancelled.

Arnold Daily had to give up the leading role of "You Never Can Tell" at the Garrick Theatre last night. He has broken down in health. Yesterday his physician, Dr. George W. Jacoby, ordered him to leave the city for a week in the country. Mr. Daily went last night. His part was filled by Winchell Smith.

"The Mathews of 'The Man of Destiny' and 'How He Lied to Her Husband' have been cancelled.

SHARES WITH EMPLOYEES.

Walter Baker Co. Distributes \$25,000 of Its Profits for 1904.

Boston, March 30.—The Walter Baker Company last week enclosed in the envelope of each employee a check for an amount equal to 10 per cent. of his or her earnings for 1904. A similar profit sharing plan was put in force the year before and was appreciated by the employees, to whom the firm's generosity came as a welcome surprise. At that time each employee received an extra week's pay.

The amount distributed by the company last week amounted to about \$25,000. There is no likelihood of any labor disturbances as the mill operated by this company.

PUBLICATIONS.

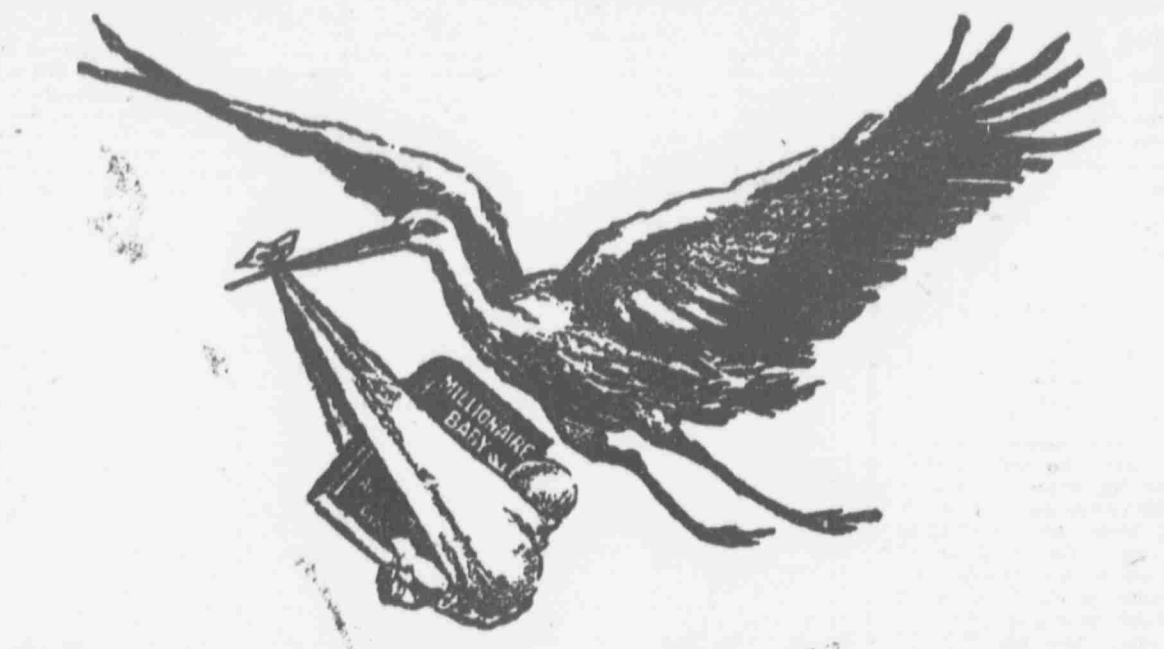
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Keeps You Guessing

What Will Happen Next

"The striking and sensational episodes are marveled with startling and cumulative effect. The adventure is as strange and weird as any conceived by Poe. The outcome is thrilling and amazing, and from one end to the other The Millionaire Baby is exciting, original and profoundly sympathetic."

Philadelphia North American.

"The most striking book of the year is The Millionaire Baby. Anna Katharine Green has thrown convention to the four winds and tells her story in her own inimitable way. As a literary work it is unique, strong and sensational. The reader will lose meals and sleep until he has reached the last word."

Pittsburgh Press.

The Millionaire Baby

By Anna Katharine Green

Illustrated by A. I. Keller

FOR SALE EVERYWHERE.

THE BOBBS-MERRILL COMPANY, Publishers.

TO AID A MUSIC SCHOOL.

Mme. Eames Sings in Concert and Mr. Ysaie Plays in Solo.

Emma Eames came in out of the wilderness of operatic wanderings to appear last night at Carnegie Hall in company with Eugene Ysaie, the violinist, in a concert in aid of the Lower East Side Music School Settlement, a most worthy object. The concert was plentiful in number and at one time in the course of the evening threatened to endure forever. But like all mundane things, it came to an end. Mr. Ysaie was prolific in solo. He played Bruch's D minor concerto, Tchaikovsky's "Serenade Melancolique" and his own "Caprice on Forme du Valse." He was also heard in the violin obbligato of Gounod's "Ave Maria," which Mme. Eames sang.

Mr. Ysaie was at his very worst in his own composition, in which he was much more original in pitch than in melodies, and at his best in an unaccompanied movement by Bach, which he played superbly for an encore. Mme. Eames sang some Bach and also some Mozart before she delivered of an aria from Mozart's "Così fan tutte" which was notable for its liberal display of her lowest tones, which are the worst in her voice, and for two of the most inartistic pieces of phrasing lately heard on the local concert stage.

However, every one was happy when she sang the "Ave Maria" and Ysaie fiddled. Walter Damrosch, who has been in the audience since the first night, said the audience was of sufficient size to show that the purpose of the concert was attained.

YALE PLAY COMING HERE.

Pinner's "The Magistrate" to Be Presented April 7 in Carnegie Lyceum.

NEW HAVEN, Conn., March 30.—The Yale Dramatic Association will present at the Carnegie Lyceum in New York on Friday evening, April 7, the three act farce, "The Magistrate," by Arthur W. Pinner.

The part of *Apollonius Poushe*, the widow who, when she married, was 31, and in reality she is 35 years old, and who makes her nineteen-year-old son masquerade as 14, will be played by Bull Hopper, '06.

Poushe, the Judge who sentences his own wife to a week in jail for being caught in a compromising position with a young man, will be played by F. C. Brown, '05, who has been especially successful in comic roles, will play the overgrown *Cic Fortington*, the widow's son.

Under the direction of John Malone, the cast has been picked and rehearsals have been in progress for several weeks. The competition for the sixteen places in the cast was very keen among the members of the dramatic association. It is said to be the best company that the Yale Dramatic Association has ever turned out. Before its New York production, the play will be given in this city on the evenings of April 4 and 5.

Among the patronesses of the New York performance will be Mrs. George Ade, Mrs. Edmund Coffin, Mrs. J. W. Curtis, Mrs. M. J. Dodge, Mrs. H. C. Du Val, Mrs. Stuyvesant Fish, Mrs. E. H. Harriman, Mrs. F. B. Lord, Mrs. Howard Mansfield, Mrs. W. B. Parsons, Mrs. William Rockefeller, Mrs. Douglas Robinson, Mrs. H. Roosevelt, Mrs. W. D. Sloane, Mrs. H. W. Felt, Mrs. Thomas Thacher, Mrs. J. B. Thomas and Mrs. Alfred G. Vanderbilt.

LILLIAN RUSSELL BACKS OUT.

Won't Sing in Chicago Auditorium Because It's Too Big for Her Voice.

CHICAGO, March 30.—Lillian Russell declared to-day that she would not sing in the Auditorium Easter week in "Lady Teazle." This threw the plans of the managers of the project, and it is feared that the play cannot be presented in the big theatre on the scale intended.

Miss Russell gave as the excuse for the important change of her mind that the Auditorium was too big and unwieldy for her voice. The production may be given at the Garrick Theatre if it can be so arranged.

Edwardes Gets Stay in "Cingalese" Case.

Special Cable Despatch to THE SUN.

LONDON, March 30.—In the case in which Capt. Fraser yesterday obtained a judgment for \$15,000 damages against George Edwardes, the theatrical manager, who was accused of having painted Capt. Fraser's ideas in the musical comedy "The Cingalese," the Court to-day granted a stay of execution pending an appeal.

Mr. Altman to Have an Art Gallery.

Plans were filed at the Building Bureau yesterday for a private art gallery for Benjamin Altman to be built at 1 West Fifth street. It is to be two stories, with a frontage of 52 feet and a depth of 38, and will have a facade of brownstone, decorated with ornamental panels. It is to be lighted by a large oval dome. The cost is put at \$10,000.

THE OLIVE MEAD QUARTET.

Harold Randolph of Baltimore Assisting Artist at Their Concert.

The Olive Mead Quartet, gave at Mendelssohn Hall last night the concert which had to be postponed a few weeks back on account of the illness of Lillian Littlehale, the cellist. The programme consisted of Dvorak's F major quartet, Brahms's C minor trio, and Saint-Saens's piano quintet in A minor. The pianist was Harold Randolph, the head of the Peabody Conservatory of Music in Baltimore.

It was unfortunate that three movements of the Dvorak quartet had been played the previous evening in the small hall by the Kreisler Quartet. Some persons in last night's audience heard both performances, and comparisons were inevitable. Of course there is no reasonable ground for them, because the Olive Mead Quartet is composed of women, and the time has not yet come when four women can be found to outshine the Boston organization in finish of style and beauty of tone.

But Miss Mead's organization is one of high merit. It stands easily on a level with the masculine chamber music lodges of this town, and in respect of intonation and warmth it need have no fear of comparison with any of them. Miss Littlehale lacks the tonal power and the technical perfection needed for the "cello" part in such a quartet, and last night she was not up to her own standard.

She had doubtless not entirely recovered from her recent illness, says she is 31, and in reality she is 35 years old, and who makes her nineteen-year-old son masquerade as 14, will be played by Bull Hopper, '06.

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FLOOD.

which show that the belief in alchemy is prevalent to-day as it was in the time of Cagliostro. One writer claims to have succeeded in producing gold from common earth and wishes to establish a factory in the disguise of a mining company for such production. Another correspondent encloses picture of a large plant to be erected in Philadelphia near the United States Mint for transforming silver into gold at the rate of \$100,000,000 in gold per year, the proceeds to be used for the benefit of humanity.

A great discovery has been made in the nature world—the great horned owl does ruffle its feathers in anger. Even Mr. Burroughs has been convinced of the error of his own opinion by the article which Silas A. Lottridge has written in the April St. Nicholas and the photographs he has made showing this famous bird with his feathers ruffled very much like a turkey cock. Mr. Lottridge is a teacher living in a New Jersey town, who spends much of his time with his feathered friends and has written several articles on birds and bird life, illustrated with photographs taken with his own camera.

A new novel of romantic adventure is announced for next week by Lieut.-Col. Andrew C. P. Haggard, a brother of Rider Haggard. He is an inveterate sportsman, and there is no kind of hunting to which he has not at some time directed his attention—tigers in India, deer in Japan, lions in Abyssinia and big game of all kinds in America. By profession he is a soldier, and there are few countries which he has not visited. His new book "Silver Bells" is a story of life in Northern Canada, dealing with a tribe of Indians, and its heroine embodies a perfect description of Indian womanhood. Although Col. Haggard is not as familiar to Americans as his brother, he is well known abroad as the author of some half a dozen novels, a volume of poems and a serious study of the "Court of France."

Owen Seaman, the author of those amusing parodies in verse "A Harvest of Chaff," is another example of the theory that the most finished writer of light verse is apt

to be a man who has had some academic training. Mr. Seaman won the prize for Greek verse in college and took first class in classical tripos. He also stroked his college crew at Cambridge. He studied archaeology in Germany and was a lecturer and professor of literature in England. He travelled in Italy, Greece and the United States; was called to the bar in London, but never practised, and finally settled down as a writer in Putney, near London, achieving distinction as the "Baron de Bookworm" on the Punch staff. Two of his earlier volumes are already in their fourth impressions in this country, and his "Borrowed Plumes" has required a third printing.

King Victor Emmanuel has honored Prof. Charles Elliot Norton by making him a Grand Officer of the Crown of Italy in recognition of his distinguished services in translating Dante's works into English and his studies in Italian art and history. This is said to be the highest Italian decoration ever conferred on a Harvard graduate, although William R. Thayer and the late William W. Story were made Knights of this order.

The first book which the firm of Moffat, Yard & Co. are to offer to the public is Richard Barry's "Port Arthur—A Monster Heroism." The sub-title of the book suggests the flavor of the story, which is radically different from any other published on the Russo-Japanese War, in that it concerns itself far more with what might be termed the human side of the conflict than with its merely technical and military activities. Through all the narrative flames the courage and devotion of the Japanese soldier, who counted death an honor if he served to advance his flag toward the forts of the enemy. Mr. Barry's papers recently appearing in important reviews and magazines give some details of the terrible picture presented by the book as a whole. The text is illustrated by photographs taken by the author in the field.

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The Story of Amalgamated Copper

In PUBLIC OPINION—on sale today—Mr. Donohoe tells "The Story of Amalgamated Copper." He describes the mines comprised in this famous property—the greatest copper mining proposition in the world; compares their annual output of copper ore with that of other mines; estimates the probable value of the Company's assets—and puts his finger on a few of Mr. Lawson's fabrications. There is also a character sketch of Marcus Daly, the rough and ready pioneer who laid the foundation for this colossal mining enterprise.

The chapter published today describes the Amalgamated properties. Next week Mr. Donohoe will tell the story of the promotion of the Amalgamated Copper Company. He will show how the stock was issued and floated, and the part that Mr. Lawson played in that deal.

Among other special features in Public Opinion this week are:

Personalities of the War, By Edwin Emerson
Chicago's Next Mayor? By William Hard
America's Food Poisoners, By Paul Pierce

If you are not reading Public Opinion week by week, you are missing one of the brightest and cleverest weekly magazines ever printed on this continent. It covers every important happening in Political, Literary, Scientific, Religious, Dramatic and Financial circles.

10 Cents PUBLIC OPINION 10 Cents

Public Opinion costs 10c. a copy at all newsdealers. The April 1st number—on sale today—is a 44-page magazine sparkling with human interest from cover to cover. Order from your newsdealer.

William Jennings Bryan

In the April 15th number there will appear the first of a series of articles by William Jennings Bryan on our national problems. These articles will form a significant contribution to the literature of politics. They should be read by every American citizen—whether he agrees with Mr. Bryan's political views or not.

AMUSEMENTS.

NEW AMSTERDAM For three weeks.

Mr. Richard MANSFIELD To-night, 8:15. BEAU BRUMMEL Sat. Mat. THE MERCHANT OF VENICE Sat. Eve. IVAN THE TERRIBLE.

NEXT (THIRD WEEK)—Mon. April 3. Mon. Eve. PIERCE & MR. HYDE. Tues. Eve. & Sat. Mat. BEAU BRUMMEL. Wed. Eve. DR. JAVELIN & MR. HYDE. Thurs. Eve. THE MERCHANT OF VENICE. Fri. Eve. & Sat. Mat. IVAN THE TERRIBLE. Sat. Eve. KING RICHARD.

POURTH WEEK—Monday, April 10.—Pierce & Mr. Hyde. The Merchant of Venice. By Moore. Seats Mon.

LIBERTY THEATRE, 424 St. R. Way. Matinee Saturday, Evgs. 8:15. The Glorious Education of Mr. Pipp By Augustus Thomas, with Ditty Bell.

NEW YORK THEATRE, 25c. 50c. 75c. 1.00. To-night, 8:15.—One View Only. MAY IRWIN. Matinee Saturday.

THE PRINCE OF FILSEN. Seats Selling.